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Cross-Claimant Jeremy Hudson*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY, an Illinois
Corporation,

Plaintiff,

vs.

JEREMY HUDSON, an individual; KOFI
THOMAS, an individual; MICHAEL
SIMON, an individual; PAUL PAULSEN,
an individual; AUSTIN WISE, an
individual; DAVID DANNY SPIVAK, an
individual; JAMES BURBANO, an
individual; WHOLESALE EXOTICS,
INC., a Stock Corporation; EXCLUZAYY
MOTORSPORTS, a California
Corporation, THOMAS CLASSICS, an
Ohio Corporation, DOES I through X,
inclusive; and ROE ENTITIES I through X,
inclusive;

Defendants.

AND ALL RELATED CLAIMS,

Case No. 2:22-cv-02123-RFB-EJY

**MOTION FOR EXTENSION OF
SCHEDULING ORDER DATES FOR
THE LIMITED PURPOSE OF TAKING
DEPOSITIONS
(First Request)**

Pursuant to Local Rules IA 6-1, 26-3, and 26-6(c), Defendant JEREMY HUDSON (“Mr. Hudson”), by and through his attorney of record, Steven H. Burke, Esq. of the Law Office of Steven H. Burke, LLC, hereby moves the Court for an extension of current deadlines set forth in the Stipulated Discovery Plan and Scheduling Order. [ECF No. 83].

Pursuant to Local Rule 26-6(c), Mr. Hudson has made a good-faith effort to meet and confer as defined in LR IA 1-3(f) and had a meet-and-confer conference on Monday, July 8, 2024, at 11:00 a.m. PST regarding the extension of discovery further detailed below. *See*, Declaration of Counsel, Steven H. Burke, Esq. attached as “**Exhibit A**” at ¶3. On July 1, 2024, counsel for Mr. Hudson sent State Farm Mutual Automobile Insurance Company (“State Farm”), Mr. Paul Paulsen (“Mr. Paulsen”), and Mr. Austin Wise (“Mr. Wise”) a letter to schedule the meet-and-confer conference. *Id.* at ¶4. *See also*, Letter to Parties attached as “**Exhibit B.**” State Farm and Mr. Paulsen appeared for the meet-and-confer conference and agreed to the extension of discovery pursuant to this request. *See*, Exhibit A at ¶5. *See also*, Email confirming the agreement of extension attached as “**Exhibit C**”. Mr. Wise failed to appear at the Meet-and-Confer Conference. *See*, Exhibit A at ¶6. Based on the non-appearance of Mr. Wise at the meet-and-confer and his non-appearance at his two scheduled depositions noticed by State Farm, it is clear that Mr. Wise is ignoring and failing to participate in discovery. *See*, Exhibit A at ¶7. Other than filing a pro-se answer with an address, Mr. Wise has not made any other appearance or filing or provided the parties with any means of contact other than the address on his Answer. *Id.* at ¶8.

Good cause exists for the extension, on the following grounds: Although several things have transpired in this case, the pleadings are not yet closed and discovery is not yet fully complete. Following the dismissal of Defendants James Burbano and Thomas Classics, State Farm and Mr. Hudson filed a Joint Discovery Plan and Scheduling Order Submitted in Compliance with LR 26-1(b) on November 15, 2023. State Farm and Mr. Hudson have exchanged written discovery, but have not been able to complete depositions. During the meet-and-confer, State Farm and Mr. Paulsen have agreed to this extension, but Mr. Wise has continued to fail to participate in discovery.

Pursuant to Local Rule 26-3, Mr. Hudson provides the following information relative to the status of discovery and the proposed extension:

- (a) *A statement specifying the discovery completed:* To date, Mr. Hudson and State Farm have exchanged Initial Disclosures in accordance with Fed. R. Civ. P. 26(a)(1) and this

1 Court's Stipulated Discovery Plan and Scheduling Order (ECF No. 83). State Farm has
 2 propounded written discovery requests including Requests for Interrogatories, Requests
 3 for Admission, and Requests for Production, which were answered by Mr. Hudson. Mr.
 4 Hudson propounded discovery requests including Requests for Interrogatories,
 5 Requests for Admission, and Requests for Production, which have not been answered
 6 yet by State Farm. State Farm also conducted a deposition of Mr. Hudson.

7 (b) *A specific description of the discovery that remains to be completed:* State Farm
 8 scheduled the deposition of Defendant, Austin Wise and Mr. Hudson scheduled the
 9 depositions of Defendant, Paul Paulsen and Non-Party, Hassan Iddrissu. All three
 10 Deponents, Austin Wise, Paul Paulsen, and Hassan Iddrissu failed to appear for the
 11 scheduled date and time. These depositions are being or have been rescheduled.

12 (c) *The reason why the deadline was not satisfied or the remaining discovery was not*
 13 *completed within the time limits set by the discovery plan:* As outlined above, the
 14 parties each scheduled the depositions of individuals that failed to appear.
 15 Rescheduling these depositions would require an extension of the discovery deadline
 16 for the limited purpose of taking these three (3) depositions.

17 (d) *A proposed schedule for completing all remaining discovery:* For the reasons stated
 18 above, Mr. Hudson requests that the Stipulated Discovery Plan and Scheduling Order

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(ECF No. 83) be amended to reflect the following deadlines:

1. Close of Discovery Deadline: July 26, 2024 (limited to take depositions of Austin Wise, Paul Paulsen, and Hassan Iddrissu.)
2. Dispositive Motions: August 26, 2024
3. Joint Pretrial Order: September 25, 2024 (Unless dispositive motions are filed, in which case the joint pretrial order shall be filed within 30 days after decision on the dispositive motions or further court order.)

For the reasons set forth above, good cause exists for the granting of this motion. This request is respectfully submitted.

DATED this 8th day of July, 2024.

LAW OFFICES OF STEVEN H. BURKE,
LLC

/s/ Steven H. Burke, Esq.

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Attorney for Defendant,
Jeremy Hudson

IT IS SO ORDERED.¹

DATED this 8th day of July, 2024.


U.S. MAGISTRATE JUDGE

¹ The Court notes that Defendant Austin Wise failed to participate in the meet and confer in which all other parties participated.